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 SANTA ANA

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EILEEN M. DECKER
 United States Attorney
 DENNISE D. WILLET
 Assistant United States Attorney
 Chief, Santa Ana Branch Office
 CHARLES E. PELL (Cal. Bar No. 210309)
 Assistant United States Attorney
 411 West Fourth Street, Suite 8000
 Santa Ana, California 92701
 Telephone: (714) 338-3542
 Facsimile: (714) 338-3561
 E-mail: charles.e.pell2@usdoj.gov

Attorneys for Plaintiff
 UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

IN RE: SEARCH OF:

No.

SA16-183M

10987 Bluffside Drive,
 Apartment #4209, Studio
 City, California 91604

GOVERNMENT'S EX PARTE
 APPLICATION FOR ORDER SEALING
 SEARCH WARRANT AND SUPPORTING
 AFFIDAVIT; MEMORANDUM OF POINTS
 AND AUTHORITIES; DECLARATION OF
 CHARLES E. PELL

12901 Sherman Way, Suite A,
 North Hollywood, California
 91605

UNDER SEAL

22745 Macfarlane Drive,
 Woodland Hills, California
 91364

A Grey 2008 Acura MDX with
 California license plate
 number 7HUW657 and Vehicle
 Identification Number
 2HNYD28398H519552

A black or dark colored bag
 possessed by Gagik
 Airapetian, described as a
 satchel, computer bag, or
 messenger bag, with a strap
 that is attached on each end
 that is carried over the
 shoulder

1 The government hereby applies ex parte for Orders directing
2 that the search warrants and supporting affidavits in each of the
3 above-entitled cases, together with this ex parte application, the
4 memorandum of points and authorities, the declaration of Charles E.
5 Pell, and this Court's sealing Order, be kept under seal until
6 further Order of the Court.


7 This ex parte application is based on the attached declaration
8 of Charles E. Pell.

9 DATED: April 18, 2016

Respectfully submitted,

10 EILEEN M. DECKER
11 United States Attorney

12 DENNISE D. WILLETT
13 Assistant United States Attorney
14 Chief, Santa Ana Branch Office

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16 CHARLES E. PELL
17 Assistant United States Attorney
18 Santa Ana Branch Office

19 Attorneys for Plaintiff
20 UNITED STATES OF AMERICA
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 The government requests that this Court seal the search
3 warrant(s) and supporting affidavit(s) in this case in order to
4 maintain the integrity of this investigation. Approval from this
5 Court to seal these documents is required under Local Rule 79-5.1.
6 The Court of Appeals for the Ninth Circuit has held that district
7 courts have the inherent power to seal affidavits in support of
8 warrants. In re Sealed Affidavit (Agosto), 600 F.2d 1256 (9th Cir.
9 1979) (per curiam); see also Offices of Lakeside Non-Ferrous Metals,
10 Inc., 679 F.2d 778 (9th Cir. 1982) (citing Agosto).

11 The Court of Appeals for the Seventh Circuit has rejected the
12 proposition that pre-indictment disclosure of a search warrant
13 affidavit is required under either constitutional principles or Rule
14 41(g) of the Federal Rules of Criminal Procedure. In re EyeCare
15 Physicians of America, 100 F.3d 514 (7th Cir. 1996). In doing so,
16 the Seventh Circuit held:

17 By the very nature of a secret criminal investigation of this
18 type, the target of an investigation more often than not
19 remains unaware of the specific grounds upon which a warrant
20 was issued. If preindictment disclosure of sealed warrant
21 affidavits was required to satisfy due process (assuming there
22 has been a predicate deprivation of life, liberty or property),
the hands of law enforcement would be needlessly tied and
investigations of criminal activity would be made unduly
difficult if not impossible.

23 Id. at 517. Accord In re Grand Jury Proceedings, 115 F.3d 1240,
24 1247 (5th Cir. 1997).

25 Here, for the reasons described in the attached declaration,
26 sealing is necessary to assure that targets of the investigation do
27 not flee or attempt to destroy evidence before the date of the
28 execution of the search warrants, as well as for the safety of the

1 searching agents and officers. The government accordingly requests
2 that the documents described in the attached declaration be
3 maintained under seal until further Order of the Court.

DECLARATION OF CHARLES E. PELL

I, Charles E. Pell, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. In that capacity, I am assigned to an investigation into the operators and schemers in a large tax fraud, money laundering, and identity theft scheme for suspected violations of Title 18, United States Code, Sections 286, 287, 371, 1001, 1028(a)(7), 1343, 1344, and 1956, which criminalize, respectively, conspiracy to defraud the United States with respect to claims, false claims, conspiracy to defraud the United States, making or using false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry, identity theft, wire fraud, bank fraud, and money laundering.

2. The search warrants in this investigation have not yet been executed. The federal agents plan to conduct the searches and corresponding arrests on Wednesday, April 20, 2016. The likelihood of discovering the items sought by the search warrant(s) - and the investigation as a whole - might be jeopardized if the affidavits in support of the search warrants in these cases were made publicly available. This sealing request is therefore sought to prevent the targets of the search warrants from learning that the locations will be searched. Sealing will, thus, assure that those targets do not flee or attempt to destroy evidence; and it will also protect the safety of searching agents or officers.

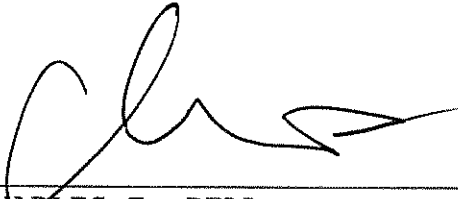
3. Accordingly, the government requests that the search warrant(s) and supporting affidavit(s) in the above-titled case, together with this ex parte application, the memorandum of points

1 and authorities, the declaration of Charles E. Pell, and this
2 Court's issued sealing order, be kept under seal until further Order
3 of the Court.

4 I declare under penalty of perjury that the foregoing is true
5 and correct to the best of my knowledge and belief.

6 DATED: April 18, 2016

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CHARLES E. PELL
Assistant United States Attorney
Santa Ana Branch Office